

UNAPPROVED MINUTES OF  
August 18, 2020

The Moody County Commissioners met in regular session on Tuesday, August 18, 2020 in the Courtroom in the Courthouse at 9:00 AM, with the following members present: Chair Carla Bruning, John Schiefelbein, Tom Ehrichs, Dan Miles, with Kristina Krull, Auditor as Clerk of the Board. Also present Marty Skroch, Commission Assistant, Tawny Brewer Deputy Auditor, Paul Lewis, States Attorney, Brenda Wade Schmidt, Moody County Enterprise, and Randy Hemmer, Board of Adjustment Alternate. Rick Veldkamp joined by phone.

Chair Bruning called the meeting to order. Motion by Ehrichs seconded by Miles to approve the agenda. All voted "aye". Motion by Miles seconded by Schiefelbein to approve the following consent agenda with all voting "aye":

Minutes: August 4, 2020

Motion by Ehrichs, seconded by Schiefelbein to conduct business as Board of Adjustment at 9:02 AM. All voted "aye". Motion by Miles, seconded by Schiefelbein to resume regular session at 9:19 AM. All voted "aye".

Kristina Krull, Auditor met with the Board. Krull distributed 2020 expense and revenue budgets. Discussion was held on the General Election to be held on November 3, 2020. Motion by Miles, seconded by Schiefelbein to approve the following resolution with all voting "aye":

MOODY COUNTY RESOLUTION 20081801

A RESOLUTION DESIGNATING PRECINCTS AND POLLING PLACES FOR THE NOVEMBER 3, 2020 GENERAL ELECTION

WHEREAS South Dakota Codified Law §12-14-1 provides that a board of county commissioners shall by resolution provide for election precincts throughout its county and shall designate polling places within such precincts; and

WHEREAS, Moody County, South Dakota, presently has the following precincts and polling places:

Precinct Number	Cities/Townships	Legislative		Polling
		District	Place	
#1	City of Flandreau – Ward 2 City of Flandreau – Ward 1 North of SD Hwy 32 Flandreau Twp – Sections 1,2,3,10,11,12,13,14,15, 22,23,24	8	William J. Janklow Community Center 802 W. Community Drive Flandreau, SD 57028	
#2	City of Flandreau – Ward 3 City of Flandreau – Ward 1 South of SD Hwy 32 Flandreau Twp – Sections 25 thru 36	8	Courthouse – 1st Floor 101 E. Pipestone Avenue Flandreau, SD 57028	
#3	Trent Town, Alliance Twp Blinsmon Twp, Enterprise Twp Lynn Twp – Sections 1,2,3,10,11,12,13,14,15,19-36	8	Trent Gym 403 E. 3rd Street Trent, SD 57065	
#3/4B				
(3)	Lone Rock Twp, Union Twp	8	William J. Janklow Community Center	
(4)	Ward City, Riverview Twp, Spring Creek Twp Ward Twp, Flandreau Twp – Sections 4,5,6,7,8,9, 16,17,18,19,20,21	8	802 W. Community Drive Flandreau, SD 57028	
#4	Egan City, Clare Twp, Egan Twp, Grovena Twp	8	Egan Senior Citizens Center 200 W. 3rd Street Egan, SD 57024	
#5	Colman City, Colman Twp, Fremont Twp, Jefferson Twp, Lynn Twp – Sections 4,5,6,7,8,9 16,17,18	8	Colman Community Center 126 N. Main Colman, SD 57017	

WHEREAS, South Dakota Codified Law §12-14-9 provides that polling places shall be selected with reference to the convenience of the voters in the various election precincts, and should be as near the center of the election precincts as practicable, but if in the judgment of the board of county commissioners the convenience of the voters will be served thereby or if communication can be thereby made available, the polling place may be located outside the boundaries of the precinct; and

WHEREAS, South Dakota Codified Law §12-19-37 provides that a county may create by resolution a special precinct to be known as an absentee ballot precinct, and at said precinct all absentee ballots cast at any election shall be counted; and

WHEREAS, an outbreak of a severe respiratory disease, COVID-19, which is caused by and is transmitted by the person-to-person spread of the novel coronavirus, started in late 2019 and has currently been detected in more than 100 countries, including the United States; and

WHEREAS, the World Health Organization has designated COVID-19 a pandemic, and the United States Centers for Disease Control and Prevention (CDC) has declared a public health emergency; and

WHEREAS, Governor Kristi Noem, through Executive Order 2020-04, declared South Dakota to be in a State of Emergency due to the COVID-19 pandemic, and re-authorized said declaration and extended the State of Emergency through Executive Order 2020-15; and

WHEREAS, Governor Kristi Noem, through Executive Order 2020-20, ordered and directed certain precautionary actions to be undertaken by counties and municipalities to mitigate the spread of the COVID-19, including the implementation of CDC hygiene practices, and protecting critical infrastructure; and

WHEREAS, Governor Kristi Noem anticipates that both the COVID-19 pandemic and State of Emergency will last for a period of four or more months, during which time a statewide general election has been scheduled for November 3, 2020; and

WHEREAS, in an effort to reduce the potential for transmitting COVID-19 throughout the state during the election primary, the South Dakota Secretary of State's Office will be contacting all eligible voters about considering the use of absentee balloting rather than in-person voting on November 3, 2020; and

WHEREAS, it is reasonably anticipated that the actions taken by the South Dakota Secretary of State will result in more eligible voters using absentee balloting than has otherwise previously occurred throughout the state to date, including an anticipated increase in absentee voting by eligible Moody County voters; and

WHEREAS, while the Moody County Board of Commissioners support the executive orders of Governor Noem, and the actions taken by the South Dakota Secretary of State, the Moody County Commission also acknowledges the need to protect the suffrage rights of all eligible Moody County voters to participate in the November 3, 2020, general election through in-person voting at established precinct polling locations; and

WHEREAS, the Moody County Board of Commissioners believe that CDC hygiene practices, and such other orders and commands contained within Governors Noem's Executive Orders necessitate that the polling places made available for in-person voting in Moody County on November 3, 2020, be appropriately staffed, carefully monitored, thoroughly sanitized, meet the handicap accessibility requirements of the Help America Vote Act, and meet such other accessibility requirements as established by state and federal law; and

WHEREAS, it is the belief of the Moody County Board of Commissioners, following a review of all of the above-indicated requirements, the assessment of county resources, and the investigation of suitable public gathering sites, that the Precincts in Moody County should be consolidated into three (3) polling place for in-person voting during the November 3, 2020, general election; and

WHEREAS, it is the opinion of the Moody County Board of Commissioners that the William J. Janklow Community Center in Flandreau, South Dakota, the Trent Gym in Trent, South Dakota, and the Colman Community Center in Colman, South Dakota, are the most suitable polling locations for all Moody County Precincts for in-person voting during the November 3, 2020, general election.

NOW, THEREFORE BE IT RESOLVED by the Moody County Board of Commissioners that the polling location for Precinct #1, Precinct #2, and Precinct #3/4B, as described above, be moved to the William J. Janklow Community Center in Flandreau, South Dakota, for the November 3, 2020, general election; and

BE IT FURTHER RESOLVED that the polling location for Precinct #3 and Precinct #4 be moved to the Trent Gym in Trent, South Dakota, for the November 3, 2020, general election; and

BE IT FURTHER RESOLVED that the polling location for Precinct #5 be moved to the Colman Community Center in Colman, South Dakota, for the November 3, 2020, general election; and

BE IT FINALLY RESOLVED that a Precinct #6, heretofore called the Absentee Ballot Precinct, be created as a special precinct for the receipt, processing, and counting of all absentee ballots cast in Moody County during the November 3, 2020, general election, and that such Precinct be assigned a polling place identified as the Moody County Courthouse, 101 E. Pipestone Avenue, Flandreau, South Dakota, 57028.

Dated this 18th day of August, 2020.

Carla Bruning, Chair  
Moody County Board of Commissioners

ATTEST:

Kristina Krull  
Moody County Auditor

DeAnna Berke, Director of Equalization met with the Board to give them an update on Board of Equalization. Also present Kendra Eng, Deputy Assessor.

Marty Skroch, Commission Assistant met with the Board. Motion by Ehrichs, seconded by Schiefelbein to hire Stephanie Arndt, Part-Time RN, at \$12.50/hr, effective August 18, 2020. All voted "aye". Motion by Miles, seconded by Ehrichs to hire Tawny Brewer, Commission Assistant/HR Director, at Comm Ass/HR Director Step B \$45837.54, effective August 31, 2020. All voted "aye". Motion by Schiefelbein, seconded by Miles to approve the travel request for Troy Wellman, Sheriff to attend SD Sheriff Association Fall Conference, October 6-8, 2020, in Pierre, SD. All voted "aye".

Tawny Brewer, Deputy Auditor met with the Board. Motion by Ehrichs, seconded by Miles to hire Marty Skroch, Part-time Ambulance driver at Grade 7 Step A \$13.52/hr and \$3/hour on call. All voted "aye".

Motion by Miles, seconded by Ehrichs to enter into executive session at 9:45 AM pursuant to SDCL 1-25-2(1) SDCL 1-25-2(3) Reason: Personnel, Legal. All voted "aye". Motion by Miles, seconded by Schiefelbein to resume regular session at 10:30 AM. All voted "aye".

Motion by Ehrichs, seconded by Miles to advertise to hire for a Deputy Auditor. All voted "aye". Motion by Miles, seconded by Ehrichs to hire Anthony Gengler, Ambulance Director, at Ambulance Director Step G \$49283.23/year, effective August 18, 2020. All voted "aye".

Motion by Miles, seconded by Ehrichs to satisfy the judgement on case #50CIV13-102 for \$7004.43. All voted "aye".

Motion by Miles, seconded by Schiefelbein to approve the following claims and issue warrants, all voted "aye":  
General: A&B Business, supplies 120.06, AT&T Mobility, telemetry 23.94, Avera Medical Group, services 1167.82, Avera/Flandreau Medical, supplies/blood alcohols 1553.96, Bound Tree Medical, supplies 252.13, Bruning & Lewis, 2<sup>nd</sup> half August 2913.84, Century Business Products, copier maintenance 63.64, Centurylink, utilities 460.23, City of Flandreau, utilities 2424.11, Culligan, supplies 80, Daniel Feldhaus, ct reporter 32.00, Department of Health, blood alcohols 715.00, Dust-tex, cleaning supplies 71.02, Moody County Enterprise, publications 508.93, Infotech, data processing 3207.85, ICAP, services 715.92, Lake County Sheriff, jail housing 6060.00, Law Enforcement Systems, supplies 138.00, Lewis Drug, jail medical, 340.45, Lincoln County Treasurer, services 1276.80, Matheson, supplies 237.42, Minnehaha Auditor, services 499.46, Nancy Nelson, ct apt attry 386.06, Office Depot, supplies 68.01, Pitney Bowes, postage meter lease 247.71, Powers/Dakota Stop, fuel 66.40, Redwood Toxicology, supplies 1998.00, River's Edge Coop, fuel 1507.76, SD Achieve, services 180.00, SD Sheriffs' Ass, travel 60.00, SDACO, travel 925.00, Sparkle Car Wash, supplies 92.48, State Treasurer, services 611.63, Steve's, repairs 400.00, Trugreen, supplies 218.00, Vast, utilities 138.67, West Payment Center, law books 498.00, Wex Bank, fuel 454.30 Highway: Ahlers, repairs 108.00, B&H Contractors, gravel/rock 9299.74, Bowes, hot mix 29668.55, Buffalo Ridgem concrete 402.00, City of Colman, utilities 95.35, City of Flandreau, utilities 371.50, Dust-tex, cleaning supplies 96.06, Ekern, repairs 13.96, Hollaway Bridge, bridge 210-170 161089.65, I-State Truck, supplies 12.06, Johnny on the Spot, portable toilet rental 200.00, Midland Tire, repairs 111.36, Myrl & Roys, hot mix 58424.48, Quality oil, oil 528.00, Ramsdell F&M, propane 62.55, Rivers Edge, propane 119.57, Titan Machinery, repairs 54.35. Emergency Management: Alcopro, supplies 1141.00, Pharmchem, supplies 142.75. State Remit: State Treasurer, state remit July 180489.23. Water Conserv: EDWDD, July remit 159.17. 24/7:SD Attorney General, 24/7 SCRAM 350.00. Modern & Press: July remit 318.00.

Motion by Ehrichs, seconded by Miles to adjourn the meeting at 10:40 AM. All voted "aye".

ATTEST: Kristina Krull  
Moody County Auditor

Carla Bruning, Chair  
Moody County Board of Commissioners